

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

UNITED STATES OF AMERICA

v.

DAI'QUAN JARRVEL LANE,
Defendant.

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Case No. 3:23cr62

MR. LANE'S NOTICE OF RECENT FIFTH CIRCUIT DECISION

Dai'Quan Lane hereby provides notice of and attaches the Fifth Circuit's recent decision in *United States v. Daniels*, --- F.4th ----, 2023 WL 2023 WL 5091317 (5th Cir. Aug. 9, 2023). In the *Daniels*' decision, the Fifth Circuit found that 18 U.S.C. § 922(g)(3), which precludes anyone who "is an unlawful user of or addicted to any controlled substance" from possessing a gun, was unconstitutional as applied to Mr. Daniels. While the *Daniels* decision did not address the constitutionality of 18 U.S.C. § 922(g)(1), it did refute the government's generalized argument that the United States's history of disarming persons perceived to be dangerous or disloyal that the government makes in this case. *See* 2023 WL 5091317, at *10-14 ("To remain faithful to *Bruen*, the solution is to analogize to particular regulatory traditions instead of a general notion of 'dangerousness.' The government must show that a historical danger-based disarmament is analogous to the challenged regulation.").

Respectfully Submitted,
DAI'QUAN JARRVEL LANE

By: /s/
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